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May 31, 2017

Department of Resources Recycling and Recovery (CalRecycle)
Attn.: Hearing Officer Appeals
1001 I Street--P.O. Box 4025
Sacramento, CA 95812-4025

Re: Phillip Lee and Alice Lee / Environmental Health Division, Ventura County Resource Management Agency

Appeal of Hearing Officer's Decision to Uphold LEA's March 8, 2018 Cease and Desist Corrective Action Order

CalRecycle,

In accordance with Public Resources Code section 45030, my clients, Phillip Lee and Alice Lee, hereby appeal the written decision of the hearing officer in the above-referenced matter. A copy of that decision is enclosed, as well as a letter brief that was submitted to the hearing officer, which described the issues in dispute and the position of my clients.

Regarding timeliness of this appeal, please note that neither my clients, nor I, were served with the decision. At the hearing, the parties stipulated to a 30-day extension of time for the hearing officer to issue a decision. This allowed time for us to submit briefing on the legal issues involved. I obtained a copy of the decision from opposing counsel, Assistant County Counsel Eric Walts, at 4:35 p.m. today (May 31, 2017) after asking Mr. Walts if he had any idea of the status of it. Prior to that time, my clients and I believed that the matter was still under submission. I am enclosing the email correspondence between Mr. Walts and me as evidence that this is what happened. That is why this appeal is not being submitted within 10 days of the decision. Because we were not served with the decision, we had no knowledge that it had been rendered until now. We therefore request that you entertain this appeal notwithstanding that it is not being submitted within the 10-day window ordinarily required.

Please let me know if you need anything further from my clients to process this appeal.

Sincerely,



Christina Vanarelli
Attorney for Philip Lee and Alice Lee